

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

BREACH OF CONDITION NOTICE

To: Company Secretary, National Westminster Bank PLC, 30 Harborne Road, Birmingham, West Midlands B15 3AA

Served by: East Staffordshire Borough Council, The Maltsters, Wetmore Road, Burton upon Trent, Staffordshire, DE14 1LS

1. This is a formal notice which is served by the Council, under Section 187A of the above Act, because it considers that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council considers that you should be required to secure compliance with the condition specified in this notice. The Annex at the end of this notice contains important additional information.

2. The land to which this notice relates

The land known as Xpress Chicken, 69-70 New Street, Burton upon Trent, Staffordshire shown edged in red on the attached plan ("the Land").

3. The relevant planning permission

The relevant planning permission to which this Notice relates is the permission granted by the Council on 31st March 2008 for the variation of condition 2 of CU/20365/006 under Planning Permission Number pc/20365/012/JPM.

4. The breach of condition

The following condition has not been complied with:

(1) Notwithstanding the submitted information there shall be no members of the public allowed into this property, and no food shall be cooked on site, outside of the hours of 10:00am and 23:30pm on Sundays and 10:00am and Midnight on all other days.

in that the members of the public are being allowed into this property and food is being cooked on site outside the hours specified in Condition 2.

5. What you are required to do

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to secure compliance with the stated condition by taking the following steps:

- (1) Cease allowing members of the public into this property outside the hours of 10:00am and 23:30pm on Sundays and 10:00am and Midnight on all other days.
- (2) Cease cooking food on site outside the hours of 10:00am and 23:30pm on Sundays and 10:00am and Midnight on all other days.

6. Time for compliance

30 days beginning with the day on which this notice is served on you.

7. When this notice takes effect

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 28th June 2012

Signed:

Legal Services Manager (Solicitor)
(the Council's authorised officer)

on behalf of: East Staffordshire Borough Council, The Maltsters, Wetmore Road,
Burton upon Trent, Staffordshire, DE14 1LS

Annex

This notice takes effect IMMEDIATELY it is served on you in person or on the day you received it by post.

There is no right of appeal to the First Secretary of State against this notice.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with:

Planning Delivery
The Maltsters
Wetmore Road
Burton upon Trent
Staffordshire
DE14 1LS

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. Your professional adviser will advise you on what this procedure involves.

Do not leave your response until the last minute.

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